

# EXHIBIT A



**J.P. WARD  
& ASSOCIATES, LLC**  
PITTSBURGH • PHILADELPHIA

201 S HIGHLAND AVE., STE 201  
PITTSBURGH, PA 15206

JOSHUA P. WARD, ESQ.

412.545.3016 OFFICE  
412.540.3399 FAX  
[info@jpward.com](mailto:info@jpward.com)

February 9, 2022

***SENT VIA CERTIFIED MAIL***

Jefferson Capital Systems, LLC  
16 McLeland Road, St.  
Cloud, Minnesota 56303

**Re: Dan Kunkel v. Jefferson Capital Systems, LLC and TrueAccord; Docket No.: AR-22-00047**

***(Complaint in Civil Action)***

To Whom It May Concern,

Enclosed, please find Plaintiff's Complaint in Civil Action filed in the above captioned matter. Thank you for your time and attention to this matter, please feel free to contact us if you have any questions or concerns.

Very truly yours,

  
Joshua P. Ward, Esq.  
[jward@jpward.com](mailto:jward@jpward.com)  
Phone: (412) 545-3015

Enclosure(s): 1

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA**

DAN KUNKEL,

*Plaintiff,*

vs.

JEFFERSON CAPITAL SYSTEMS, LLC,  
and TRUEACCORD, *both jointly and severally,*

*Defendants.*

CIVIL DIVISION

**ELECTRONICALLY FILED**

Case No. AR-22-000457

**COMPLAINT IN CIVIL ACTION**

Filed on Behalf of Plaintiff:  
Dan Kunkel

Counsel of Record for this Party:

**J.P. WARD & ASSOCIATES, LLC**

Joshua P. Ward  
Pa. I.D. No. 320347

John V. Moore  
Pa. I.D. No. 87333

The Rubicon Building  
201 South Highland Avenue  
Suite 201  
Pittsburgh, PA 15206

Telephone: (412) 545-3015  
Fax No.: (412) 540-3399  
E-mail: [jward@jpward.com](mailto:jward@jpward.com)

**NOTICE TO DEFEND**

**YOU HAVE BEEN SUED IN COURT.** If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE.** If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. **IF YOU CANNOT AFFORD TO HIRE A LAWYER**, this office may be able to provide you with information about agencies that may offer legal service to eligible persons at a reduced fee or no fee:

LAWYER REFERRAL SERVICE  
11TH FLOOR KOPPERS BUILDING,  
436 SEVENTH AVENUE  
PITTSBURGH, PENNSYLVANIA 15219  
TELEPHONE: (412) 261-5555

**HEARING NOTICE YOU HAVE BEEN SUED IN COURT.** The above Notice to Defend explains what you must do to dispute the claims made against you. If you file the written response referred to in the Notice to Defend, a hearing before a board of arbitrators will take place in the Compulsory Arbitration Center. Report to the Arbitration Assembly Room, Courtroom Two, Seventh Floor City-County Building, 414 Grant Street, Pittsburgh, Pennsylvania 15219, on April 22, 2022, at 9:00 A.M.

**IF YOU FAIL TO FILE THE RESPONSE DESCRIBED IN THE NOTICE TO DEFEND, A JUDGMENT FOR THE AMOUNT CLAIMED IN THE COMPLAINT MAY BE ENTERED AGAINST YOU BEFORE THE HEARING. DUTY TO APPEAR AT ARBITRATION HEARING IF ONE OR MORE OF THE PARTIES IS NOT PRESENT AT THE HEARING, THE MATTER MAY BE HEARD AT THE SAME TIME AND DATE BEFORE A JUDGE OF THE COURT WITHOUT THE ABSENT PARTY OR PARTIES. THERE IS NO RIGHT TO A TRIAL DE NOVO ON APPEAL FROM A DECISION ENTERED BY A JUDGE.**

**NOTICE:** You must respond to this complaint within twenty (20) days or a judgment for the amount claimed may be entered against you before the hearing. If one or more of the parties is not present at the hearing, the matter may be heard immediately before a judge without the absent party or parties. There is no right to a trial de novo on appeal from a decision entered by a judge.

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA**

DAN KUNKEL,

CIVIL DIVISION

*Plaintiff,*

**ELECTRONICALLY FILED**

vs.

Case No. AR-22-000457

JEFFERSON CAPITAL SYSTEMS, LLC,  
and TRUEACCORD, *both jointly and severally,*

*Defendants.*

**COMPLAINT**

AND NOW, comes Plaintiff, Dan Kunkel, by and through the undersigned counsel, J.P. Ward & Associates, LLC and, specifically, Joshua P. Ward, Esquire, who files the within Complaint in Civil Action against Defendant, Jefferson Capital Systems, LLC and Defendant, TrueAccord of which the following is a statement:

**PARTIES**

1. Plaintiff, Dan Kunkel (hereinafter “Dan Kunkel”), is an adult individual who currently resides at 7712 Beth Bath Pike, Suite 2, Bath, Pennsylvania 18014.

2. Defendant, Jefferson Capital Systems, LLC, (hereinafter “Jefferson Capital Systems”), is a corporation with its principal place of business located at 16 McLeland Road, St. Cloud, Minnesota 56303.

3. Defendant, TrueAccord (hereinafter, “TrueAccord”) is a business with its principal place of business located at 16011 College Boulevard Suite 130, Lenexa, Kansas 66219.

**JURISDICTION AND VENUE**

4. Jurisdiction is proper as Plaintiff brings this lawsuit under the Fair Debt Collection Practices Act, 15 U.S.C.A. § 1692, *et seq.* (hereinafter, the “FDCPA”).

5. Venue is proper pursuant to Pa.R.C.P. 2179(a)(2) because Defendants regularly conducts business in Allegheny County, Pennsylvania, and because Defendants are subject to general jurisdiction of Allegheny County, Pennsylvania.

**PROCEDURAL HISTORY AND FACTUAL ALLEGATIONS**

6. On July 5, 2019, Jefferson Capital Systems, filed a Civil Complaint against Dan Kunkel in Magisterial District Court at Docket Number: MJ-43304-CV-0000259-2019. A true and correct copy of the Docket is attached hereto, made a part hereof, and marked as Exhibit “A”.

7. In response to the aforesaid lawsuit, Dan Kunkel engaged J.P. Ward & Associates, LLC f/k/a The Law Firm of Fenters Ward (hereinafter “The Law Firm”) for representation.

8. On July 22, 2019, The Law Firm served Jefferson Capital Systems with a letter (hereinafter, the “First Dispute Letter”) wherein Jefferson Capital Systems was informed of the disputed nature of any and all alleged debts and that Dan Kunkel was represented by counsel. A true and correct copy of the First Dispute Letter is attached hereto, made a part hereof, and marked as Exhibit “B”.

9. This First Dispute Letter stated that Dan Kunkel “denie[d] owing Jefferson Capital Systems, LLC any amount of money” and informed Jefferson Capital Systems, LLC that Dan Kunkel disputed any and all “Debts” Jefferson Capital Systems claimed to possess. See Exhibit “B”.

10. “Debts” as defined within the First Dispute Letter delineated and included “any related debt(s) and/or credit account(s) your company [Jefferson Capital Systems] claims to have, sold, purchased and/or assigned from yourself, another creditor, debt buyer or other entity as of the date of this letter. See Exhibit “B”.

11. Within the letter, Jefferson Capital Systems was directed to cease and desist from contacting Dan Kunkel directly. See Exhibit “A”.

12. On July 22, 2019, The Law Firm filed an Entry of Appearance and an Intent to Defend on Dan Kunkel’s behalf. True and correct copies of the Entry of Appearance and Notice of Intent to Defend are attached hereto, made a part hereof, and marked as Exhibit “C”.

13. On August 26, 2019, the Complaint filed by Jefferson Capital Systems was withdrawn. A true and correct copy of the email is attached hereto, made a part hereof, and marked as Exhibit “D”.

14. On or about March 23, 2021, TrueAccord, on behalf of Jefferson Capital Systems, emailed Dan Kunkel in an attempt to communicate about the collection of an alleged debt. A true and correct copy of the email correspondence is attached hereto, made a part hereof, and marked as Exhibit “E”.

15. Thereafter, TrueAccord, on behalf of Jefferson Capital Systems, continued to email Dan Kunkel in attempts to communicate about the collection of an alleged debt. A true and correct copy of the email correspondences are attached hereto, made a part hereof, and marked as Exhibit “E”.

16. Jefferson Capital Systems communicated with Dan Kunkel despite the First Dispute Letter specifically delineating Dan Kunkel’s representation by The Law Firm and its direction to cease and desist any further communication with Dan Kunkel as it relates to the collection “Debts[.]” See Exhibit “B”.

17. Jefferson Capital Systems was aware of Dan Kunkel’s representation by The Law Firm from the First Dispute Letter mailed to Jefferson Capital Systems and by the Magisterial District court proceedings. See Exhibits “A” and “B”.

18. Jefferson Capital Systems failed to engage in any communicative efforts with The Law Firm pertaining to Dan Kunkel. Therefore, The Law Firm did not fail to respond within a reasonable amount of time to a communication from Jefferson Capital Systems.

19. The Law Firm did not consent to any direct client communications with Jefferson Capital Systems or its agents or legal representatives.

20. Jefferson Capital Systems and TrueAccord violated 15 U.S.C.A. § 1692c(a)(2) when they communicated directly with Dan Kunkel, in an attempt to collect an alleged debt, despite its knowledge of Dan Kunkel's representation by The Law Firm.

**COUNT I**  
**VIOLATION OF THE FDCPA, 15 U.S.C.A. § 1692, et seq.**

21. Plaintiff incorporates the allegations contained in the paragraphs, above, as if fully set forth at length herein.

22. There is abundant evidence of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors. Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy. 15 U.S.C.A. 1692(a).

23. The purpose of the FDCPA is to “eliminate abusive debt collection practices by debt collectors, to ensure that those debt collectors who refrain from using abusive debt collection practices are not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuses.” 15 U.S.C.A. § 1692(e).

24. Dan Kunkel is a “consumer” as defined by § 1692a(3) of the FDCPA.

25. Defendants are “debt collector[s]” as defined by § 1692a(6) of the FDCPA.

26. Upon information and belief, the alleged “debt” arises out of an alleged transaction entered into primarily for personal, family, or household purposes. “The term ‘debt’ means any



obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes, whether or not such obligation has been reduced to judgment.” 15 U.S.C.A. § 1692a(5).

27. The Third Circuit has held that the FDCPA is to be enforced by private attorney generals. *Weiss v. Regal Collections*, 385 F.3d 337, 345 (3d. Cir. 2004).

28. Section 1692c(a)(2) of the FDCPA provides:

Without the prior consent of the consumer given directly to the debt collector or the express permission of a court of competent jurisdiction, a debt collector may not communicate with a consumer in connection with the collection of any debt--if the debt collector knows the consumer is represented by an attorney with respect to such debt and has knowledge of, or can readily ascertain, such attorney's name and address, unless the attorney fails to respond within a reasonable period of time to a communication from the debt collector or unless the attorney consents to direct communication with the consumer.

15 U.S.C.A. § 1692c(a)(2)

29. On July 22, 2019, The Law Firm served Jefferson Capital Systems with the First Dispute Letter informing Jefferson Capital Systems of its representation of Dan Kunkel. See Exhibit “B”.

30. The First Dispute Letter specifically delineated that Jefferson Capital Systems was to “cease and desist any further communications with my client [Dan Kunkel] as it relates to the collection of ‘Debts.’” See Exhibit “B”.

31. “Debts” as defined within the First Dispute Letter delineated and included “any related debt(s) and/or credit account(s) your company [Jefferson Capital Systems] claims to have, sold, purchased and/or assigned from yourself, another creditor, debt buyer or other entity as of the date of this letter.” See Exhibit “B”.

32. On July 22, 2019, The Law Firm filed an Entry of Appearance and an Intent to Defend Notice on Dan Kunkel's behalf. See Exhibit "A".

33. On or about March 23, 2021, Jefferson Capital Systems emailed Dan Kunkel documentation relating to the collection of the alleged debt. A true and correct copy of the communication is attached hereto, made a part hereof, and marked as Exhibit "E".

34. Thereafter, TrueAccord, on behalf of Jefferson Capital Systems, continued to email Dan Kunkel in attempts to communicate about the collection of an alleged debt. See Exhibit "E".

35. Defendants possessed knowledge of Dan Kunkel's representation by The Law Firm from the First Dispute Letter mailed to Jefferson Capital Systems. See Exhibit "B".

36. Defendants, additionally, possessed knowledge of Dan Kunkel's representation by The Law Firm from the Magisterial District Court proceedings and the related Magisterial documents. See Exhibit "A".

37. Defendants possessed knowledge of the name and address of The Law Firm through the First Dispute Letter and the Magisterial Court proceedings. See Exhibits "A" and "B".

38. Alternatively, Defendants could have readily ascertained the name and address of The Law Firm from either reviewing the First Dispute Letter or from reviewing the Magisterial Court docket or related documents produced by the Magisterial Court proceedings. See Exhibits "A" and "B".

39. Jefferson Capital Systems failed to engage in any communicative efforts with The Law Firm pertaining to Dan Kunkel. Therefore, The Law Firm did not fail to respond within a reasonable amount of time to a communication from Jefferson Capital Systems.

40. The Law Firm did not consent to any direct client communications with Jefferson Capital Systems or its agents or legal representatives.

41. A court of competent jurisdiction did not provide Jefferson Capital Systems or TrueAccord with the express permission to communicate with Dan Kunkel.

42. Jefferson Capital Systems and TrueAccord therefore violated 15 U.S.C.A. § 1692c(a)(2) when it communicated directly with Dan Kunkel despite its knowledge of Dan Kunkel's representation by The Law Firm.

43. Section 1692d of the FDCPA provides, in relevant part: "A debt collector may not engage in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt."

44. Here, the only natural consequence of Jefferson Capital Systems and TrueAccord's acts of communicating directly with Dan Kunkel was to harass, oppress, and abuse Dan Kunkel.

45. As such, Jefferson Capital Systems's conduct, as set forth above, violated 15 U.S.C.A § 1692d of the FDCPA.

46. Section 1692k(a) of the FDCPA provides, in relevant part:

...any debt collector who fails to comply with any provision of this subchapter with respect to any person is liable to such person in an amount equal to the sum of – (1) any actual damages sustained by such person as the result of such failure; (2)(A) in the case of any action by an individual, such additional damages as the court may allow, but not exceeding \$1,000; and (3) in the case of any successful action to enforce the foregoing liability, the costs of the action, together with a reasonable attorney's fee as determined by the court."

15 U.S.C.A. § 1692k(a).

47. As a direct and proximate result of Jefferson Capital Systems and TrueAccord's violations of the FDCPA, as set forth above, Dan Kunkel has suffered annoyance, anxiety, embarrassment, emotional distress, and severe inconvenience.

WHEREFORE, Plaintiff, Dan Kunkel, respectfully requests that this Honorable Court enter judgment in their favor and against Defendants and enter an award of monetary damages as

described herein, not in excess of arbitration limits, including an award for actual damages, statutory damages pursuant to 15 U.S.C.A. §1692k(a), costs and attorney's fees pursuant to 15 U.S.C.A. § 1692k(a), and such other and further relief as this Honorable Court deems just and proper.

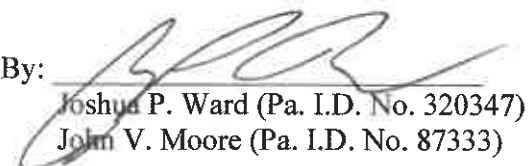
**JURY TRIAL DEMANDED UPON APPEAL OR REMOVAL.**

Respectfully submitted,

**J.P. WARD & ASSOCIATES, LLC**

Date: February 8, 2022

By:



Joshua P. Ward (Pa. I.D. No. 320347)  
John V. Moore (Pa. I.D. No. 87333)

The Rubicon Building  
201 South Highland Avenue  
Suite 201  
Pittsburgh, PA 15206

Counsel for Plaintiff

**VERIFICATION**

I, JOSHUA P. WARD, ESQ., have read the foregoing COMPLAINT and verify that the statements therein are correct to the best of my personal knowledge, information, and/or belief. I have gained this information from discussions with Plaintiff. This verification is made on behalf of Plaintiff. Plaintiff will produce their verification if/when there is an objection by Defendant or upon directive from the court.

I understand that this verification is made subject to the penalties of 18 Pa. C.S.A. 4904 relating to unsworn falsification to authorities, which provides that if I knowingly make false averments, I may be subject to criminal penalties.

Respectfully submitted,

**J.P. WARD & ASSOCIATES, LLC**

Date: February 8, 2022

By: 

Joshua P. Ward (Pa. I.D. No. 320347)  
John V. Moore (Pa. I.D. No. 87333)

The Rubicon Building  
201 South Highland Avenue  
Suite 201  
Pittsburgh, PA 15206

Counsel for Plaintiff

# EXHIBIT A

**Magisterial District Judge 43-3-04****DOCKET**

Docket Number: MJ-43304-CV-0000259-2019

**Civil Docket**

JEFFERSON CAPITAL SYSTEMS LLC

v.

Dan Kunkel

Page 1 of 2

**CASE INFORMATION**

<u>Judge Assigned:</u>	Magisterial District Judge Colleen Mancuso	<u>File Date:</u>	07/05/2019
<u>Claim Amount:</u>	\$4,135.51	<u>Case Status:</u>	Closed
<u>Judgment Amount:</u>		<u>County:</u>	Monroe

**CALENDAR EVENTS**

<u>Case Calendar</u>	<u>Schedule</u>			<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Start Time</u>	<u>Room</u>		<u>Status</u>
Civil Action Hearing	08/14/2019	9:00 am		Magisterial District Judge Colleen Mancuso	Continued
Civil Action Hearing	09/04/2019	9:30 am		Magisterial District Judge Colleen Mancuso	Scheduled

**CASE PARTICIPANTS**

<u>Participant Type</u>	<u>Participant Name</u>	<u>Address</u>
Defendant	Kunkel, Dan	Kunkletown, PA 18058
Plaintiff	JEFFERSON CAPITAL SYSTEMS LLC	Eatontown, NJ 07724

**DISPOSITION SUMMARY**

<u>Docket Number</u>	<u>Plaintiff</u>	<u>Defendant</u>	<u>Disposition</u>	<u>Disposition Date</u>
MJ-43304-CV-0000259-2019	JEFFERSON CAPITAL SYSTEMS LLC	Dan Kunkel	Withdrawn	08/26/2019

**ATTORNEY INFORMATION****Private**

Name: Robert William Cusick, Esq.  
Representing: JEFFERSON CAPITAL SYSTEMS LLC  
Counsel Status: Active - Entry of Appearance  
Supreme Court No.: 080193  
Phone No.: 732-544-9080  
Address: Law Offices of Hayt, Hayt & Landau, LLC  
 2 Industrial Way West  
 P.O. Box 500  
 Eatontown, NJ 07724  
Entry of Appearance Filed Dt: 07/08/2019  
Withdrawal of Entry of Appearance Filed Dt:

**Private**

Name: Brian J. Fenters, Esq.  
Representing: Kunkel, Dan  
Counsel Status: Active - Entry of Appearance  
Supreme Court No.: 320202  
Phone No.: 412-545-3016  
Address: The Law Firm of Fenters Ward  
 201 South Highland Avenue, Suite 201  
 Pittsburgh, PA 15206  
Entry of Appearance Filed Dt: 07/22/2019  
Withdrawal of Entry of Appearance Filed Dt:

**Magisterial District Judge 43-3-04****DOCKET**

Docket Number: MJ-43304-CV-0000259-2019

**Civil Docket**

JEFFERSON CAPITAL SYSTEMS LLC

v.

Dan Kunkel

Page 2 of 2

**DOCKET ENTRY INFORMATION**

<u>Filed Date</u>	<u>Entry</u>	<u>Filer</u>	<u>Applies To</u>
08/26/2019	Withdrawn	Magisterial District Court 43-3-04	Dan Kunkel, Defendant
07/22/2019	Entry of Appearance Filed	Brian J. Fenters, Esq.	Dan Kunkel, Defendant
07/15/2019	Intent to Defend Filed	Dan Kunkel	Dan Kunkel, Defendant
07/12/2019	Certified Civil Complaint Accepted	Magisterial District Court 43-3-04	Dan Kunkel, Defendant
07/08/2019	Certified Civil Complaint Issued	Magisterial District Court 43-3-04	Dan Kunkel, Defendant
07/08/2019	Entry of Appearance Filed	Robert William Cusick, Esq.	JEFFERSON CAPITAL SYSTEMS LLC, Plaintiff
07/05/2019	Civil Complaint Filed	JEFFERSON CAPITAL SYSTEMS LLC	



# EXHIBIT B



THE LAW FIRM OF  
**FENTERS WARD**  
A I M T O W I N

201 SOUTH HIGHLAND AVE., SUITE 201  
PITTSBURGH, PA 15206

BRIAN FENTERS, ESQ.  
JOSHUA WARD, ESQ.

MANAGING PARTNERS

412-545-3016 OFFICE  
412-540-3399 FAX

July 22, 2019

Jefferson Capital Systems, LLC  
% Robert William Cusick, Esq.  
Law Offices Hayt, Hayt, & Landau, LLC  
2 Industrial Way West, P.O. Box 500  
Eatontown, NJ 07724

**Sent via U.S. Mail**

Re: Our Client: Dan Kunkel  
Docket Number: MJ-43304-CV-0000259-2019  
Account #'s: xxx

To Whom It May Concern:

Please accept this letter as confirmation of my representation of **Dan Kunkel** with a current address of **20 Hillside Pl., Kunkletown, PA 18058**. My representation of the above-mentioned client includes any related debt(s) and/or credit account(s) your company claims to have, sold, purchased and/or assigned from yourself, another creditor, debt buyer or other entity as of the date of this letter (the "Debts"). Please cease and desist any further communications with my client as it relates to the collection of Debts.

According to my client, your company has been reporting the above-referenced accounts to collection and/or credit agencies. My client denies owing **Jefferson Capital Systems, LLC** any amount of money and demands proof of liability, accounting and ownership of these alleged accounts. The proof shall include any agreements and any amendments thereto, any other written or signed documents agreed to by my client, as well as, a complete history of billing statements reflecting how you calculated the current amount claimed, owed, reported to the collection and/or credit agencies and complete copies of any assignment documentation evidencing your ownership rights to the specific accounts.

Pursuant to the Consumer Financial Protection Act (CFPA) 12 U.S.C. 5533(a) and the Fair Debt Collection Practices Act (FDCPA) 15 U.S.C. § 1692 et seq. we request that you provide additional documents related to the Debt you claim is owed by our client:

1. the original account-level documentation reflecting all purchases, payments, or other actual uses of the account;
2. a document signed by our client evidencing the opening of the account forming the basis for the debt;
3. the name of the creditor at the time of charge-off, including the name under which the creditor did business with our client;

4. the last four digits of the account number associated with the debt at the time our client's last monthly account statement, or, if not available, at the time of charge-off; the charge-off balance;
5. **Jefferson Capital Systems, LLC** method of calculating any amount claimed in excess of the charge-off balance;
6. a copy of the statement where **Jefferson Capital Systems, LLC** offered to provide our client (within 30 days of a written request) with copies of a document signed by our client evidencing the opening of the account forming the basis for the debt; and the original account-level documentation reflecting a purchase, payment, or other actual use of the account.

Please be advised that at all times relative hereto, we are disputing this debt under the FDCPA, FCRA, FCEUA and/or the UTPCPL. **AS SUCH YOU MUST 1) NOTIFY ANY CRAs YOU HAVE FURNISHED INFORMATION TO THAT THIS TRADE LINE IS DISPUTED; 2) YOU MUST CEASE ALL COLLECTION ATTEMPTS AND DELETE THE TRADE LINE UPON FINAL DISMISSAL OF THE DEBT COLLECTION LAWSUIT IF JUDGMENT IS RENDERED IN FAVOR OF DEFENDANT.** You may direct the requested proof to my office at the address listed above. **YOU HAVE THIRTY (30) DAYS TO PROVIDE THE REQUESTED PROOFS.** All future correspondence or contact shall be directed to my office until my office provides written confirmation of termination of legal representation, if such termination should ever occur. **YOU MUST PROVIDE THIS NOTICE TO ANY ASSIGNEE, TRANSFEREE OR SUBSEQUENT OWNER OF THIS OR ANY DEBT. IF YOU FAIL IN ANY OF THESE REGARDS, YOU WILL BE SUBJECT TO LIABILITY UNDER FEDERAL AND STATE CONSUMER PROTECTION LAWS.**

Very Truly Yours,

/s/ Joshua P Ward, Esq.

Joshua P. Ward, Esq.  
Direct Dial: (412) 545-3015  
Email: jward@fentersward.com

JPW/slk

cc: Dan Kunkel

## Name and Address of Sender

THE LAW FIRM OF FENTERS WARD  
201 SOUTH HIGHLAND AVE.  
SUITE 201.  
PITTSBURGH, PA 15206

Check type of mail or service

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature Required            | <input type="checkbox"/> Priority Mail Express                      |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail                            |
| <input type="checkbox"/> Certified Mail                      | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Certified Mail Restricted Delivery  | <input type="checkbox"/> Signature Confirmation                     |
| <input type="checkbox"/> Collect on Delivery (COD)           | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                        |   |
| <input type="checkbox"/> Priority Mail                       |   |

**Affix Stamp Here**  
(for additional copies of this receipt).  
**Postmark with Date of Receipt.**



USPS Tracking/Article Number

Addresser (Name, Street, City, State, & ZIP Code<sup>TM</sup>)

1. Dan Kunkel CV-259  
1st Dispute Letter,

Jefferson Cap & Robert W. G. Smith  
Law Offices of Hunt, Hunt & Anderson  
2 Industrial Way West PO Box 500  
Enterprise, AL 36324

Postage

(Extra Service).  
Fee

Handling Charge	
-----------------	--

g	Actual Value- If Registered.
---	---------------------------------

Insured  
Value

Due  
Sender  
GAS

ASR Fee	
------------	--

**ABRD**  
**Feb**

RD	RF
Feb	Feb

8C	Feb
----	-----

SCRD	
Fee	

SH  
Fae

Handling Charge - if Registered and over \$50,000 in value

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

Total Number of Places Listed by Sender

**Total Number of Pieces Received at Post Office**

Postmaster, Per (Name of receiving employee)

# EXHIBIT C

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF Monroe



**ENTRY OF APPEARANCE  
PURSUANT TO PARCPMDJ  
207.1(A)**

Mag. Dist. No: 43-3-04  
MDJ Name: Honorable Colleen Mancuso  
Address: Route 209 & Shafer Drive PO Box 218  
Brodheadsville, PA 18322  
Telephone: (570) 992-4919

Jefferson Capital Systems  
v.

Dan Kunkel

Docket No: CV-259-2019  
Case Filed: 07/05/19

**TO THE MAGISTERIAL DISTRICT COURT:**

Please enter my appearance on behalf of defendant Dan Kunkel  
In the above captioned matter.

Attorney Name: Brian J Fenters

Supreme Court of Pennsylvania Attorney Identification Number: 320202

Firm Name: The Law Firm of Fenters Ward

Address: 201 South Highland Ave., Suite 201

City, ST, Zip: Pittsburgh, PA 15206

Telephone Number: (412) 545-3016

I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently than non-confidential information and documents.

/s/ Brian J Fenters

Signature of Applicant

07/22/19

Date





THE LAW FIRM OF  
**FENTERS WARD**  
A I M T O W I N

201 SOUTH HIGHLAND AVE., SUITE 201  
PITTSBURGH, PA 15206

BRIAN FENTERS, ESQ.  
JOSHUA WARD, ESQ.

MANAGING PARTNERS

**412-545-3016 OFFICE**  
412-540-3399 FAX

July 22, 2019

Magisterial District Number: 43-3-04

Honorable Colleen Mancuso

Route 209 & Shafer Drive

PO Box 218

Brodheadsville, PA 18322

Phone: 570-992-4919

**Sent via:** Fax 570-992-4690

**RE: CV-259-2019. Jefferson Capital Systems, LLC v Dan Kunkel**

**INTENT TO DEFEND NOTICE:**

DEFENDANT INTENDS TO ENTER A DEFENSE. PLEASE CONSIDER THIS NOTICE PER Pa. R. Civ. P. MAG DIST J RULE 305(4)(a).

PLEASE NOTIFY THE PLAINTIFF THAT DEFENDANT HAS ENTERED NOTICE TO DEFEND PER Pa. R. Civ. P. MAG DIST J RULE 318.

ALSO, PLEASE UPDATE THE DOCKET TO SHOW THAT DEFENDANT INTENDS TO DEFEND AS WELL AS OUR ENTRY OF APPEARANCE.

Sincerely,

/s/ Brian Fenters

Brian J. Fenters, Esq.  
[bfenters@fentersward.com](mailto:bfenters@fentersward.com)  
PA Bar# 320202  
412-545-3016

BF/slk

CC: Dan Kunkel

# EXHIBIT D



MARTIN RUBIN\*

ROBERT L. BAROSKA III\*  
JOSHUA T. MCNAMARA\*  
ASHLEY PALAIA\*  
ROBERT W. CUSICK\* OF COUNSEL

\* MEMBER NEW JERSEY, PENNSYLVANIA  
AND NEW YORK BARS  
\* MEMBER NEW JERSEY AND PENNSYLVANIA BARS

LAW OFFICES OF  
**HAYT, HAYT & LANDAU, LLC**

TWO INDUSTRIAL WAY WEST  
EATONTOWN, NEW JERSEY 07724-0500  
TELEPHONE (732) 544-9080  
FAX (732) 389-1756  
WEBSITE: [www.haytlaw.com](http://www.haytlaw.com)

EMANUEL HAYT (1929-1983)  
LILLIAN R. HAYT (1929-1963)  
BERNARD D. LANDAU (1955-1988)

PENNSYLVANIA OFFICE  
123 S. BROAD STREET  
SUITE 1325  
PHILADELPHIA, PA 19109-1003

TELEPHONE (215) 928-1400  
FAX (215) 928-1514

08/26/2019

VIA FAX: 570-992-4690  
THE HONORABLE COLLEEN MANCUSO  
Mag. Dist. No. 43-3-04  
ROUTE 209 AND SHAFER DR  
PO BOX 218  
BRODHEADSVILLE PA, 18322

Re: JEFFERSON CAPITAL SYSTEMS, LLC  
vs.

DAN KUNKEL  
Docket Number: CV-0000259-19  
Date Filed: 07/05/2019  
Hearing Date: 09/04/2019  
Our File No.: 640546

Dear Judge,

This office represents the Plaintiff in regard to the above-referenced matter.

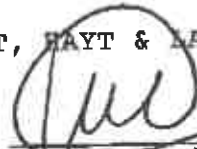
Pursuant to Pa. R.C.P.M.D.J. No. 320 (A), we respectfully request withdrawal of the complaint in civil action.

If you should have any questions or concerns, please do not hesitate to contact us.

Thank you.

Sincerely,

HAYT, HAYT & LANDAU

By:   
ROBERT W. CUSICK

cc: JOSHUA P WARD, ESQUIRE  
201 SOUTH HIGHLAND AVE SUITE 201  
PITTSBURGH PA, 15206

**CONFIDENTIAL  
DOCUMENT FORM***Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*

204 Pa. Code § 213.81

[www.pacourts.us/public-records](http://www.pacourts.us/public-records)DAN KUNKEL

(Party name as displayed in case caption)

AR-22-

Docket/Case No.

Vs.

JEFFERSON CAPITAL SYSTEMS, LLC, and TRUEACCORD, both jointly and severally,

(Party name as displayed in case caption)

Common Pleas Allegheny

Court

This form is associated with the pleading titled Complaint, dated February 8, 2022.

Pursuant to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania*, the Confidential Document Form shall accompany a filing where a confidential document is required by law, ordered by the court, or is otherwise necessary to effect the disposition of a matter. This form shall be accessible to the public, however the documents attached shall not be publicly accessible, except as ordered by a court. The documents attached will be available to the parties, counsel of record, the court, and the custodian.

**Please only attach documents necessary for the purposes of this case.** Complete the entire form and check all that apply. This form and any additional pages must be served on all unrepresented parties and counsel of record.

Type of Confidential Document	Paragraph, page, etc. where the confidential document is referenced in the filing:
<input checked="" type="checkbox"/> Financial Source Documents	
<input type="checkbox"/> Tax Returns and schedules	
<input type="checkbox"/> W-2 forms and schedules including 1099 forms or similar documents	
<input type="checkbox"/> Wage stubs, earning statements, or other similar documents	
<input checked="" type="checkbox"/> Credit card statements	Exhibit E
<input checked="" type="checkbox"/> Financial institution statements (e.g., investment/bank statements)	Exhibit E
<input type="checkbox"/> Check registers	
<input type="checkbox"/> Checks or equivalent	
<input type="checkbox"/> Loan application documents	
<input type="checkbox"/> Minors' educational records	
<input type="checkbox"/> Medical/Psychological records	
<input type="checkbox"/> Children and Youth Services' records	
<input type="checkbox"/> Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33	
<input type="checkbox"/> Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c)	
<input type="checkbox"/> Agreements between the parties as used in 23 Pa.C.S. §3105	

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

/s/ Joshua P. Ward

Signature of Attorney or Unrepresented Party

02/08/22

Date

Name: Joshua P. WardAttorney Number: (if applicable) 320347Address: 201 South Highland Avenue, Suite 201Telephone: (412) 545-3015Pittsburgh, PA 15206Email: jward@jpward.com

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA**

DAN KUNKEL,

*Plaintiff,*

vs.

JEFFERSON CAPITAL SYSTEMS, LLC,  
and TRUEACCORD, *both jointly and severally,*

*Defendant.*

CIVIL DIVISION

**ELECTRONICALLY FILED**

Case No. AR-22-

**CONFIDENTIAL EXHIBIT TO  
COMPLAINT IN CIVIL ACTION  
EXHIBIT E**

Filed on Behalf of Plaintiff:  
Dan Kunkel

Counsel of Record for this Party:  
**J.P. WARD & ASSOCIATES, LLC**

Joshua P. Ward  
Pa. I.D. No. 320347

John V. Moore  
Pa. I.D. No. 87333

J.P. Ward & Associates, LLC  
The Rubicon Building  
201 South Highland Avenue  
Suite 201  
Pittsburgh, PA 15206

Telephone: (412) 545-3015  
Fax No.: (412) 540-3399  
E-mail: [jward@jpward.com](mailto:jward@jpward.com)

# EXHIBIT E

5/31/2021

Daniel Kunkel, please review this important information

## Subject: Daniel Kunkel, please review this important information



**Teresa Zuniga** <teresa@hello.trueaccord.com>  
to Daniel Kunkel

You are viewing an attached message. J.P. Ward & Associates, LLC Mail can't verify the auth

regarding your account

**We're here to help make the collections process as smooth as**

Hello Daniel,

We are TrueAccord, a third party debt collection agency that is working on behalf of

Our approach is to make the debt collection experience better for the customer by

Take a look at your flexible options, and let us know if you need any assistance.

You can review the details of this balance below.

[View Your Options](#)

Here are the details:

**Current creditor:**

**Original creditor:**

**Balance due:**

**Jefferson Capital Systems, LLC account ending in:**

**Original creditor account ending in:**

5/31/2021

An update on your account

## Subject: An update on your account



**Susan Anderson** <susan@hello.trueaccord.com>  
to Daniel Kunkel

You are viewing an attached message. J.P. Ward & Associates, LLC Mail can't verify the author.

A quick breakdown.

**You currently owe \$50.43 to Jefferson Capital Systems, LLC (**

This account has been placed with TrueAccord for collection. Daniel, here's a breakdown:

1. You originally accrued this balance with PAYPAL INC.
2. Jefferson Capital Systems, LLC is the creditor who currently owns this balance.
3. TrueAccord is ready to start [working with you](#).

We're happy to answer any other questions you may have.

[View My Options](#)

This communication is from a debt collector. This is an attempt to collect a debt and any action taken by us is on behalf of the creditor.



Copyright © 2021 TrueAccord

16011 College Blvd, Suite 130, Lenexa, KS 66219

1-866-611-2731

Office Hours: M-F, 8 AM - 8 PM ET

5/31/2021

Daniel, we can help with your Jefferson Capital Systems, LLC account.

**Subject: Daniel, we can help with your Jefferson Capital Systems, LLC acc**



**Anil Patil** <anil@hello.trueaccord.com>  
to Daniel Kunkel

**You are viewing an attached message.** J.P. Ward & Associates, LLC Mail can't verify the auth

Take a look at our different options.

**Daniel Kunkel, your balance of \$50.43 is past due. If you can't**

This account has been placed with TrueAccord for collection. You have an [overdue](#)  
**you no matter what your current financial situation is.**

So take a look at your [payment options](#) or shoot us an email and talk to us about v

Here are the details:

**Current creditor:**

**Original creditor:**

**Balance due:**

**Jefferson Capital Systems, LLC account ending in:**

**Original creditor account ending in:**

**[View payment options](#)**

5/31/2021

Hi Daniel!

## Subject: Hi Daniel!



**Melinda Brewer** <melinda@hello.trueaccord.com>  
to Daniel Kunkel

You are viewing an attached message. J.P. Ward & Associates, LLC Mail can't verify the auth

A quick introduction.

**We're here to help you resolve your outstanding balance.**

Hi Daniel,

Thanks for opening our email! We are TrueAccord, a third party collection agency

To learn more about your account, please click the button below.

[Learn More](#)

We're reaching out today because we want to provide you with self-serve and con

This communication is from a debt collector. This is an attempt to collect a debt an



Copyright © 2021 TrueAccord

16011 College Blvd, Suite 130, Lenexa, KS 66219

1-866-611-2731

Office Hours: M-F, 8 AM - 8 PM ET

**Your TrueAccord account number is: 47-08-7991-73328**



5/31/2021

New information regarding your Jefferson Capital Systems, LLC (current creditor of your original PAYPAL INC account) account

**Subject: New information regarding your Jefferson Capital Systems, LLC (c**



**Teresa Zuniga** <teresa@hello.trueaccord.com>  
to Daniel Kunkel

You are viewing an attached message. J.P. Ward & Associates, LLC Mail can't verify the autho

Read on.

**We can help you resolve your Jefferson Capital Systems, LLC**

Hi Daniel,

We, TrueAccord, are a third-party debt collection agency that is now working on be  
outstanding balance of \$50.43.

Together, we can resolve this.

Take the first step by visiting our website and learning more about our payment pla

Visit our website

Here are the details:

**Current creditor:**

**Original creditor:**

**Balance due:**

**Jefferson Capital Systems, LLC account ending in:**

EXHIBIT E

USPS CERTIFIED MAIL



9214 8901 9403 8365 9222 09

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FIRST-CLASS

FIRST-CLASS

FIRST-CLASS





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FEB 14 2022  
BY: \_\_\_\_\_

First Class Mail  
First Class Mail

 J.P. WARD  
& ASSOCIATES, LLC  
PITTSBURGH • PHILADELPHIA  
201 SOUTH HIGHLAND AVE, SUITE 201. PITTSBURGH, PA 15206

